***RFA* No.80 of 1997**

7.11.2007 Present: Mr. Shrawan Dogra, Advocate for the appellant.

Mr. Vikas Rajput, Advocate, for the respondent.

CMP No.173 of 2007 with RFA No.80 of 1997

This is an application filed by respondent under Section 151 CPC informing the Court that the matter has been settled by the Bank with the appellant and for dismissal of appeal having become infructuous.. The applicant has filed Annexure PX dated 9.5.2007 and Annexure PY dated 1.12.2001 with the application retreating that the matter has been settled by the Bank with the appellant. No reply has been filed to the application though time was granted to the appellant on 25.5.2007 and 3.10.2007. Mr. Shrawan Dogra, learned counsel for the appellant has stated that he has written two letters dated 25.5.2007 and 3.10.2007 to his client but he has not responded. There is no reason to disbelieve the application that the matter has not been settled by the Bank with the appellant. In these circumstances, the appeal does not survive and is dismissed as settled having become infructuous. The application is also disposed of.

(Kuldip Singh)
Judge.

November 7, 2007
(sks)